

**Minutes of
S.C. Board of Health and Environmental Control**

July 14, 2005

The S.C. Board of Health and Environmental Control met on Thursday, July 14, 2005, at 10:00 a.m. in the S.C. Department of Health and Environmental Control Board Room, 2600 Bull Street, Columbia, S.C. (Attachment 0-1)

The following members were in attendance:

Elizabeth M. Hagood, Chairman
Member-at-large

Edwin H. Cooper, III, Vice-Chairman
Charleston, 1st District

Steven G. Kisner, Secretary
Aiken, 3rd District

Henry C. Scott
Barnwell, 2nd District

Paul C. Aughtry, III
Greenville, 4th District

Glenn A. McCall
Rock Hill, 5th District

Also in attendance were Commissioner Earl Hunter and guests. (Attachment 0-2)

Ms. Hagood gave the invocation.

Chairman Hagood stated notice of this meeting has been provided to all persons, organizations and news media, which have requested notification, as required by section 30-4-80(e) of the South Carolina Code of Laws.

Item 1: Consideration of June 9, 2005, meeting minutes - For Approval (Attachment 1-1)

Mr. Cooper moved, seconded by Mr. Aughtry, to approve the minutes of the June 9, 2005, meeting. Approved

Item 2: Request for third six-month extension of Certificate of Need SC-04-06 issued to Hospice of Marlboro County for the construction of a 10 bed inpatient hospice facility – For Approval (Attachment 2-1)

Mr. Joel Grice, Health Regulations, presented this item to the Board. Mr. Kevin Long, Executive Director, is requesting additional time for implementation of this Certificate of Need, which expires July 20, 2005. The approved total project cost is estimated at \$2,986,300.

Mr. Kisner moved, seconded by Mr. Aughtry, to find that the Hospice of Marlboro County has demonstrated substantial progress and to approve an additional six-month extension to implement Certificate of Need SC04-06. Approved

Item 3: Solid Waste Management Planning – For Action (Attachment 3-1)

Mr. Art Braswell, Bureau of Land and Waste Management, presented this item to the Board. The South Carolina Solid Waste Policy and Management Act of 1991, SC Code Section 44-96-60, directed the Department to prepare a State Solid Waste Management Plan (State Plan.) The State Plan was completed in 1992 and revised in 1999.

The State Plan is a comprehensive description of all solid waste management activities in South Carolina and includes, in part: an inventory of the amounts and types of solid waste currently being disposed in South Carolina, as well as an estimate of the disposal over a twenty-year period, pursuant to SC Code Section 44-96-60(A)(1) and (2); an estimate of the State's current capacity to manage solid waste and a projection of future capacity, pursuant to SC Code Section 44-96-60(A)(3); an evaluation of all solid waste management practices in the State, to include processing of solid waste, pursuant to SC Code Section 44-96-60 (A)(4); and, an analysis of the types of solid waste facilities that will be needed to manage the State's solid waste during the projected twenty-year period, pursuant to SC Code Section 44-96-60(A)(5).

Mr. Kisner moved, seconded by Mr. Aughtry, to go into Executive Session for the purpose of legal advice in regard to the Solid Waste Management Plan. Approved

While in Executive Session, no actions were taken.

Mr. Kisner moved, seconded by Mr. Cooper, to grant approval to publish a Notice in the State Register for a revision of the State Plan, to provide for public comment and to conduct public meetings across the State in order to receive and consider comments, and direct staff that this process should not delay decisions on permit applications that have currently been submitted to the Department and that staff should allow the applicants to decide whether staff will proceed with a decision or delay a decision pending revision of the State Plan. Approved by unanimous vote.

Item 4: Administrative and Consent Orders issued by Environmental Quality Control (May 1, 2005 through May 31, 2005) – For Information (Attachment 4-1)

Ms. Claire Prince, Director, Enforcement and Compliance Assistance, Environmental Quality Control, stated twenty-two (22) orders had been issued with penalties of \$128,880.

After discussion, *the Board accepted this item as information.*

Item 5: Administrative and Consent Orders issued by Ocean and Coastal Resource Management (May 1, 2005 through May 31, 2005) – For Information (Attachment 5-1)

Mr. Steve Snyder, Acting Deputy Commissioner, Office of Ocean and Coastal Resource Management, stated three (3) orders had been issued with penalties of \$12,750.

The Board accepted this item as information.

Item 6: Status Report – Environmental Fees and Time Frames – For Information (Attachment 6-1)

Mr. Mike Rowe, Environmental Quality Control, stated the report is required by Regulation 61-30 and represents a report for the third quarter of the 2004-2005 Fiscal Year.

The Board accepted this item as information.

Item 7: Overview of the Beachfront Management Act – For Information (Attachment 7-1)

Mr. Snyder and Mr. Bill Eiser, Office of Ocean and Coastal Resource Management, presented an overview of the Beachfront Management Act using a PowerPoint presentation.

The Board accepted this item as information.

Item 8: Agency Affairs

The following were reported on:

1. Healthy S.C. Update (Mike Byrd and Meghan McQuire, Healthy SC Coordinator with the Governor's Office) (Attachment 8-1);
2. Comprehensive Cancer Control Implementation Plan grant awarded by the CDC (Doug Calvert);
3. Hwy. 17 Widening Project through ACE Basin (Steve Snyder);
4. FY07 Budget Process (Doug Calvert);
5. South Carolina Georgia Savannah River Workgroup (Ms. Hagood).

Item 9: Legal Report – For Information

Mr. Carl Roberts, General Counsel, provided the Board with a form to be used when it is necessary for a member to recuse themselves from a particular Board action. (Attachment 9-1) He also updated them on other legal issues.

Mr. Scott moved, seconded by Mr. McCall, to adjourn. Approved.

All referenced attachments are made a permanent part of these minutes.

Respectfully submitted,

Steven G. Kisner
Secretary

Minutes approved this 11th day of August 2005.

ATTEST:

Elizabeth M. Hagood
Chairman

Attachments

- 0-1 Agenda
- 0-2 Sign-in Sheet
- 1-1 June 9, 2005, Board Meeting minutes
- 2-1 Request for third six-month extension of CON SC-04-06
- 3-1 Solid Waste Management Plan
- 4-1 Administrative and Consent Orders issued by EQC
- 5-1 Administrative and Consent Orders issued by OCRM
- 6-1 Status Report – Environmental Fees and Time Frames
- 7-1 Overview of the Beachfront Management Act
- 8-1 Health S.C.
- 9-1 Statement of Recusal